



41 CFR Parts 300-3, 300-70, 301-2, 301-10, 301-11, 301-13, 301-53, 301-70, 301-71, Appendix C to Chapter 301, 304-3, and 304-5

[FTR Case 2020-300-1; Docket No. GSA-FTR-2022-0005, Sequence No. 2]

RIN 3090-AK40

Federal Travel Regulation; Common Carrier Transportation

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: The U.S. General Services Administration (GSA) is amending the Federal Travel Regulation (FTR) by adding definitions to the Glossary of Terms; adopting recommendations from agencies and the Senior Travel Official Council to simplify the FTR; consolidating duplicative regulations pertaining to the use of common carrier transportation accommodations; introducing premium economy airline accommodations as a class of service and creating management controls related to the use thereof; removing an outdated exception to use of a Contract City Pair fare; sequencing common carrier regulations in a more logical order; and making miscellaneous editorial corrections.

DATES: Effective **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Mueller, Director of Travel, Relocation, Mail, and Transportation Division, Office of Government-wide Policy, at 202-208-0247 or by email at *thomas.mueller@gsa.gov* or clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755 or *GSARegSec@gsa.gov*. Please cite FTR Case 2020-300-1.

SUPPLEMENTARY INFORMATION:

I. Background

GSA is amending the FTR by defining multiple terms, to include "coach class", "other than coach class" (which includes "first class", "business class", and "premium economy class"), "contract City Pair Program", "scheduled flight time", and "usually traveled route", along with making other minor editorial changes in the Glossary of Terms. This final rule also relocates regulations that are informational and not directive in nature, such as "What is an extra-fare train?" (FTR §301-10.163), and more appropriately places them in the "Glossary of Terms".

GSA amended the FTR on October 27, 2009 (74 FR 55145) to implement recommendations contained in the U.S. Government Accountability Office (GAO) report, "Premium Class Travel: Internal Control Weaknesses Governmentwide Led to Improper and Abusive Use of Premium Class Travel" (GAO-07-1268). The final rule replaced "first-class",

"business-class", and "premium-class" with a broad term, "other than coach-class." Since that time, changes in the airline industry, such as unbundling of services and the creation of classes of service between coach and business class, has created uncertainty on what accommodations must be reported as other than coach class. Consequently, GSA is defining the term "other than coach class" to include "first class", "business class", and "premium economy class", while also clearly stating that only first class and business class need to be reported as part of GSA's efforts to ensure against improper and abusive Government travel costs per GAO-07-1268.

Including "premium economy class" as its own class of service aligns with current commercial airline industry practice and acknowledges a potentially cost-saving alternative to business class accommodations for Federal travelers when an exception to using coach class accommodation applies.

From fiscal years 2011 through 2020, business class airline accommodations have accounted for about 97 percent of the cost of all reportable other than coach class transportation. Of the aforementioned 97 percent of business class air trips, 35 percent were authorized using the "14-hour rule" per FTR 301-10.125. As premium economy class airline tickets tend to be less expensive than business class, particularly for flights to destinations

outside the continental United States (OCONUS), GSA is amending the FTR to authorize premium economy class accommodations as an exception to the required use of coach class when scheduled flight time exceeds eight hours and travel is to, from, or between OCONUS locations (i.e., foreign and non-foreign areas). This exception for using premium economy class is aimed at reducing the use of first class and business class transportation with the anticipation that agencies will authorize premium economy class where offered, instead of business or first class, when eligible. In the event a traveler is authorized to fly premium economy class under the new eight-hour rule, there is no eligibility for a rest period.

Some agencies have expressed the need for a rest period in excess of 24 hours when there is limited availability of scheduled departures, as travelers may encounter it when traveling to certain foreign or remote locations. Accordingly, GSA is adding a paragraph (c) to section 301-11.20 informing agencies they may authorize a rest period in excess of 24 hours under the circumstances described.

Additionally, agencies are required to report annual travel data on certain types of travel per subpart B of FTR part 300-70. Premium class travel (formally known as "other than coach class" travel) is one such type of travel that requires annual reporting. Premium class travel

reporting requirements are set forth in the FTR and do not have a statutorily mandated deadline for submission, which provides the Administrator of General Services latitude on setting reporting deadlines. Typically, several agencies request an extension to submit their premium class travel data. To provide agencies more time to review their data, GSA is setting the premium class travel reporting requirement as December 31 of each year (instead of the current 60 days after the end of each fiscal year).

GSA will now refer to the "premium class" or "other than coach class" travel report as the "first class and business class" travel report as reporting is limited to only first and business class accommodations. The renaming of this report will avoid confusion with the newly proposed definitions of "other than coach class" and "premium economy class". Agencies will not report premium economy class or coach class seating upgrades in the first class and business class report as costs for both are likely to be substantially lower than business and first class accommodations, and therefore, pose less risk for travel cost abuse. To further reduce agency reporting burden, GSA requires negative submissions only for CFO Act agencies and agencies that reported the use of first class or business class accommodations for the previous reporting cycle. All other agencies may provide a negative report but are not required to do so. These changes, along with clarifying

that agencies only need to report first class and business class accommodations, will promote a common understanding of the reporting requirements across Government.

GSA is also making several changes to the FTR based on recommendations from the Travel and Expense Management Federal Integrated Business Framework working group, established by GSA in April 2017, in which GSA worked with other agencies to develop baseline travel and expense management standards. For example, the group proposed removing an outdated City Pair Program exception which allows travelers to use a non-contract fare if smoking is permitted on the contract air carrier and the nonsmoking section of the contract aircraft is not acceptable (FTR §301-10.107(e)). In 2000, smoking was banned on all scheduled U.S. domestic and international airline flights between the U.S. and another country (65 FR 36772), which eventually led to smoke-free policies for airlines worldwide. Consequently, GSA is removing this outdated exception to Contract City Pair Program fare use.

This final rule also eliminates the duplicative language in the FTR on the classes of accommodations for each mode of common carrier transportation, i.e., FTR §§301-10.121 (air), 301-10.160 (rail), and 301-10.182 (ship), the requirement to use coach class accommodations for each mode, i.e., FTR §§301-10.122 (air), 301-10.161 (rail), and 301-10.183 (ship), and the duplicative

regulations that prescribe when a traveler may be authorized use of other than coach class accommodations, i.e., FTR §§301-10.123 (air), 301-10.162 (rail), and 301-10.183 (ship), into a single definition for "coach class", one regulation on the requirement to use coach class, and one regulation governing when other than coach class may be authorized, irrespective of the mode of common carrier transportation. Further, this rule eliminates examples of exceptional security circumstances that currently accompany the exception for use of other than coach class, as such circumstances are determined by the agency.

The final rule also clarifies circumstances under which agencies may authorize the use of sleeping cars on trains. Lastly, due in part to the consolidation and elimination of multiple regulations, this rule resequences the common carrier regulations found in FTR part 301-10. It also makes other miscellaneous editorial changes.

II. Discussion of the Final Rule

GSA published a proposed rule on March 3, 2022 (87 FR 12048), to amend the FTR sections pertaining to the use of common carrier transportation, e.g., commercial airline and train. The proposed rule received one anonymous comment that recommended changing the term and definition of "Flight Time" under the 14-hour rule to "Travel Time", to account for the total travel time from point of origin to final destination.

In drafting the proposed rule, GSA considered total travel time, but agencies expressed concern that it may actually increase the use of business class. Consequently, GSA is maintaining scheduled flight time as a determining factor for eligibility, not entitlement, to use of business class airline accommodations.

Additionally, as total travel time may include train travel that offers business class seating, and often includes time spent traveling between a traveler's residence and airport or train station, time awaiting transportation, and time traveling using shuttle, taxi, or transportation network company services to the final destination, these factors further deterred GSA from proposing to use total travel time as a basis for business class eligibility.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review

under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993.

IV. Congressional Review Act

OIRA has determined that this rule is not a "major rule" as defined by 5 U.S.C. 804(2). Additionally, this rule is excepted from Congressional Review Act reporting requirements prescribed under 5 U.S.C. 801 since it relates to agency management or personnel under 5 U.S.C. 804(3).

IV. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because it applies to agency management. Therefore, a Final Regulatory Flexibility Analysis has not been performed.

V. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, et seq.

List of Subjects

41 CFR Part 300-3

Government employees, Income Taxes, Travel and transportation expenses.

41 CFR Part 300-70

Government employees, Reporting and recordkeeping requirements, Travel and transportation expenses.

41 CFR Part 301-2

Government employees, Travel and transportation expenses.

41 CFR Part 301-10

Common carriers, Government employees, Government property, Travel and transportation expenses.

41 CFR Part 301-11

Government employees, Travel and transportation expenses.

41 CFR Part 301-13

Government employees, Individuals with disabilities, Travel and transportation expenses.

41 CFR Part 301-53

Government employees, Travel and transportation expenses.

41 CFR Part 301-70

Administrative practice and procedure, Government employees, Individuals with disabilities, Travel and transportation expenses.

41 CFR Part 301-71

Accounting, Government employees, Travel and
transportation expenses.

41 CFR Part 304-3 and 304-5

Government employees, Travel and transportation
expenses.

Robin Carnahan,
Administrator of General Services.

For the reasons set forth in the preamble, GSA amends 41 CFR parts 300-3, 300-70, 301-2, 301-10, 301-11, 301-13, 301-53, 301-70, 301-71, Appendix C to Chapter 301, 304-3, and 304-5 as set forth below:

PART 300-3-GLOSSARY OF TERMS

1. The authority citation for part 300-3 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118; 5 U.S.C. 5738; 5 U.S.C. 5741-5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; E.O 11609, as amended, 3 CFR, 1971-1975 Comp., p. 586, Office of Management and Budget Circular No. A-126, revised May 22, 1992.

2. Amend §300-3.1 by-

- a. Adding in alphabetical order definitions for "Coach class" and "Coach class seating upgrade programs";
- b. Revising the definition of "Common carrier";
- c. Adding in alphabetical order definitions for "Contract City Pair Program", "Extra-fare train", and "Other than coach class";
- d. Revising the definition of "Privately owned automobile"; and
- e. Adding in alphabetical order definitions for "Scheduled flight time" and "Usually traveled route".

The additions and revisions read as follows:

§300-3.1 What do the following terms mean?

* * * * *

Coach class-The class of accommodation that is normally the lowest class of fare offered by common carriers regardless of terminology used. For reference purposes only, coach class may also be referred to as tourist class, economy class, steerage, or standard class.

Coach class seating upgrade programs-Under commercial air transportation seating upgrade programs, a passenger may obtain a preferable seat choice or increased amenities or services within the coach class seating area. These upgraded choices are generally available for a fee, as a program membership benefit (such as frequent flyer) or at an airport kiosk or gate. Coach class seating upgrade options are not considered a new or higher class of accommodation from coach as the seat is lower than other than coach class accommodations in terms of cost and amenities (e.g., seating girth and pitch, priority boarding, luggage allowance, expedited food/drink service).

* * * * *

Common carrier-Private sector supplier of air, rail, bus, ship, or other transit system.

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Contract City Pair Program-A mandatory use (see §301-10.110 for required users) Government program that provides commercially available scheduled air passenger transportation services to persons authorized to travel directly at the Government's expense. The City Pair

Program offers negotiated firm-fixed-price fares on one-way routes between airports that apply in either direction of travel. Fares may be issued using one of the following fare types, or others that the contract City Pair Program may solicit:

(1) *Capacity-controlled coach class contract fare (_CA)* - A contract City Pair Program coach class fare that is less expensive than the unrestricted contract City Pair Program coach class fare (YCA), but has limited inventory availability, meaning, once the flight reaches a certain capacity, _CA fares may no longer be available for booking. Unlike YCA fares, _CA fares are restricted by the availability of seats. Accordingly, early booking may increase the likelihood of booking a _CA fare. The first character of the three-character fare basis code varies by airline.

(2) *Unrestricted coach class contract fare (YCA)* - A contract City Pair Program coach class fare that is more expensive than a _CA fare, but offers last seat (inventory) availability (unless a flight is already sold out), meaning, as long as coach class inventory is available to sell on the flight, the Government traveler can purchase it.

(3) *Contract business fare (_CB)* - Contract fare offered by carriers in some domestic and international line item markets for business class service. The first

character of the three-character fare basis code varies by airline.

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Extra-fare train—A train that operates at an increased fare due to the extra performance of the train, i.e., faster speed or fewer stops, or both.

* * * * *

Other than coach class—Any class of accommodations above coach class.

(1) *First class*. The highest class of accommodation offered by a common carrier in terms of cost and amenities.

(2) *Business class*. A class of accommodation offered by a common carrier that is lower than first class but higher than coach and premium economy, in cost and amenities.

(3) *Premium economy class*. A class of airline accommodation that is lower than both first class and business class, but higher than coach class in terms of cost and amenities. Airlines are constantly updating their offerings; however, for the purposes of this regulation, premium economy class is considered a separate, higher class of accommodation from coach class and is not considered a coach class seating upgrade.

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Privately owned automobile—A car or light truck, including a van or a pickup truck, that is owned or leased

for personal use by an individual, but not necessarily the traveler.

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Scheduled flight time-The flight time between the originating departure point and the ultimate arrival point, as scheduled by the airline, including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

* * * * *

Usually traveled route-The most direct route between the employee's official station (or invitational traveler's home) and the temporary duty location, as defined by maps or consistent with established scheduled services of contract or common carriers.

PART 300-70-AGENCY REPORTING REQUIREMENTS

3. The authority citation for 41 CFR part 300-70 continues to read as follows:

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741-5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 121(c); 49 U.S.C. 40118; E.O. 11609, as amended, 3 CFR, 1971-1975 Comp., p. 586.

4. The subpart B heading is revised to read as follows:

Subpart B-Requirement to Report Use of First Class and Business Class Transportation Accommodations

5. Amend §300-70.100 by revising the section heading to read as follows:

§300-70.100 Who must report the use of first class and business class transportation accommodations?

* * * * *

6. Revise §300-70.101 to read as follows:

§300-70.101 What information must we report on the use of first class and business class transportation accommodations?

GSA issues FTR bulletins that inform you of the required information and reporting format(s) for each trip where you paid for at least one segment of first class or business class transportation accommodations that were more expensive than coach class accommodations for the same itinerary. FTR bulletins are updated as necessary and available at <https://www.gsa.gov/ftrbulletins>.

7. Revise §300-70.102 to read as follows:

§300-70.102 When must we report on the use of first class and business class transportation accommodations?

You must report to the U.S. General Services Administration, Office of Government-wide Policy no later than December 31 of each year. The reporting period is October 1 through September 30. Negative submissions, i.e., no data to report, are required for Chief Financial Officers (CFO) Act agencies and agencies that reported the use of first class or business class transportation

accommodations for the previous reporting cycle. All other agencies may provide a negative report, as relevant.

8. Amend §300-70.103 by revising the section heading, introductory text, and paragraphs (a) and (b) to read as follows:

§300-70.103 Are there any exceptions to the first class and business class reporting requirement?

Yes. You must not report data that is protected from public disclosure by statute or Executive Order, such as classified data or data otherwise withheld from the public in response to written requests under the Freedom of Information Act (5 U.S.C. 552). In these cases, you are required to report the following aggregate information:

(a) Aggregate number of authorized first class and business class trips that are protected from disclosure;

(b) Total cost of actual first class and business class fares paid that exceeded the coach class fare; and

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PART 301-2-GENERAL RULES

9. The authority citation for 41 CFR part 301-2 continues to read as follows:

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353; 49 U.S.C. 40118.

10. Revise §301-2.1 to read as follows:

§301-2.1 Must I have authorization to travel?

Yes, generally you must have written or electronic authorization before incurring any travel expense. When it is not practicable or possible to obtain such authorization before travel begins, your agency may approve reimbursement for specific travel expenses after travel is completed. However, written or electronic advance authorization is required for items in §301-2.5(c), (i), (n), and (o) of this part.

11. Amend §301-2.4 by adding a sentence to the end of the section to read as follows:

§301-2.4 For what travel expenses am I responsible?

* * * Failure to provide sufficient justification to your approving official for such accommodations or services will limit your reimbursement to the constructive cost of the amount authorized versus the amount claimed.

§301-2.5 [Amended]

12. Amend §301-2.5, in paragraph (b), by removing the words "foreign air carrier" and adding in their place "foreign air carrier or foreign ship".

PART 301-10-TRANSPORTATION EXPENSES

13. The authority citation for part 301-10 continues to read as follows:

Authority: 5 U.S.C. 5707, 40 U.S.C. 121(c); 49 U.S.C. 40118; Office of Management and Budget Circular No. A-126, "Improving the Management and Use of Government Aircraft." Revised May 22, 1992.

14. Add §§301-10.101 through 301-10.104 to read as follows:

Sec.

* * * * *

301-10.101 What classes of common carrier accommodations are available?

301-10.102 What class of common carrier accommodations must I use?

301-10.103 When may I use other than coach class accommodations?

301-10.104 What must I do if I change or do not use a common carrier reservation?

* * * * *

§301-10.101 What classes of common carrier accommodations are available?

Common carriers frequently update their levels of service and use various terminologies to distinguish those levels of service. For the purposes of this regulation, the classes of common carrier transportation are categorized as coach class, premium economy class, business class, and first class.

Note 1 to §301-10.101: If an airline flight has only two classes of accommodations available, i.e., two distinctly different seating types (such as girth and pitch) and the front of the aircraft is termed "premium economy class" or higher by the airline and the tickets are

fare coded as premium economy class or higher, then the front of the aircraft is deemed to be other than coach class. Alternatively, if an airline flight has only two seating sections available but equips both with one type of seating, (i.e., seating girth and pitch are the same in both sections of the aircraft), and the seats in the front of the aircraft are fare coded as full fare economy class, and only restricted economy fares are available in the back of the aircraft, then the entire aircraft is to be classified as coach class. In this second situation, qualifying for other than coach class travel is not required to purchase an unrestricted full fare economy seat in the front of the aircraft as the entire aircraft is considered "coach class."

§301-10.102 What class of common carrier accommodations must I use?

For all official travel you must use coach class accommodations, unless your agency authorizes or approves the use of other than coach class accommodations as provided under §301-10.103.

§301-10.103 When may I use other than coach class accommodations?

You are required to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business when making official travel arrangements. Therefore, you are required to use the least

expensive class of accommodations necessary to meet your needs and accomplish the agency's mission. You may use the lowest other than coach class accommodations only when your agency specifically authorizes or approves such use as specified in paragraph (a), (b), or (c) of this section.

(a) Your agency may authorize or approve premium economy class accommodations when:

(1) Required to accommodate a medical disability or other special need;

(i) A medical disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the medical disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under §301-13.3(a) of this subchapter to have an attendant accompany you, your agency may also authorize the attendant to use premium economy class accommodations if you require the attendant's services en route;

(2) Exceptional security circumstances, as determined by your agency, require premium economy class accommodations;

(3) Coach class accommodations on an authorized foreign carrier do not provide adequate sanitation or health standards;

(4) Regularly scheduled service between origin and destination points, including connecting points, provide only other than coach class accommodations and you certify such on your voucher;

(5) Your common carrier costs are paid in full through agency acceptance of payment from a non-Federal source in accordance with chapter 304 of this title;

(6) Your origin and/or destination is/are OCONUS and your scheduled flight time, including stopovers and change of planes, is in excess of eight hours;

(7) The use results in an overall cost savings to the Government by avoiding additional subsistence costs, overtime, or lost productive time while awaiting coach class accommodations;

(8) No space is available in coach class accommodations that allows you to arrive in time to accomplish the mission, which is urgent and cannot be postponed; or

(9) Required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

(b) Your agency may authorize or approve business class accommodations under paragraphs (a)(1) through (5) and (7) through (9) of this section, or when:

(1) Your origin and/or destination are OCONUS;

(2) Your scheduled flight time, including stopovers and change of planes, is more than 14 hours;

(3) You are required to report to duty the following day or sooner; and

(4) Your agency has determined business class accommodations are more advantageous than authorizing a rest period en route or at your destination pursuant to §301-11.20.

(c) Your agency may authorize or approve first class accommodations under paragraph (a)(1), (2), or (9) of this section, or when no coach class, premium economy class, or business class accommodations are reasonably available.

"Reasonably available" means available on a common carrier that is scheduled to leave within 24 hours of your proposed

departure time, or scheduled to arrive within 24 hours of your proposed arrival time.

Note 1 to §301-10.103: Other than coach class accommodations may be obtained at a traveler's personal expense, including through redemption of program membership benefits such as frequent flyer programs.

Note 2 to §301-10.103: Open authorization (i.e., Unlimited Open or Limited Open) of other than coach class transportation accommodations is prohibited and shall be authorized on an individual trip-by-trip basis, unless the traveler has an up-to-date documented medical disability or special need.

§301-10.104 What must I do if I change or do not use a common carrier reservation?

If you know you will change or not use your reservation, you must take action to change or cancel it as prescribed by your agency. Also, you must report all changes of your reservation according to your agency's procedures in an effort to prevent losses to the Government. Failure to do so may subject you to liability for any resulting losses.

15. Revise §301-10.105 to read as follows:

§301-10.105 What must I do with unused Government Transportation Request(s) (GTR(s)), ticket(s), or refund application(s)?

You must submit any unused GTR(s), unused ticket coupons, unused e-tickets, unused e-vouchers, or refund applications to your agency in accordance with your agency's procedures.

16. Remove the undesignated center heading "Use of Contract City-Pair Fares" that appears above §301-10.106.

17. Revise §301-10.106 to read as follows:

§301-10.106 Am I authorized to receive or keep a refund or credit for unused transportation?

No. You are not authorized to receive or keep a refund, credit, or any other negotiable document from a transportation service provider for undelivered services (except as provided in §301-10.123) or any portion of an unused ticket issued in exchange for a GTR or billed to an agency's centrally billed account. However, any charges billed directly to your individually billed Government charge card account should be credited to your account. You must immediately remit to the Government for any unused transportation expense(s) credited to your individually billed Government charge card account.

§§301-10.107 through 301-10.109 [Removed and Reserved]

18. Remove and reserve §§301-10.107 through 301-10.109.

19. Add an undesignated center heading before §301-10.110 and revise §§301-10.110 through 301-10.114 to read as follows:

Sec.

* * * * *

Use of Contract City Pair Program Fares

301-10.110 When must I use a contract City Pair Program fare?

301-10.111 Are there any exceptions to the use of a contract City Pair Program fare?

301-10.112 What requirements must be met to use a non-contract fare?

301-10.113 What is my liability for unauthorized use of a non-contract carrier when contract service is available and I do not meet one of the exceptions for required use?

301-10.114 May I use contract passenger transportation service for personal travel?

* * * * *

Use of Contract City Pair Program Fares

§301-10.110 When must I use a contract City Pair Program fare?

If you are an employee of an agency as defined in §301-1.1 of this chapter, you must use a contract City Pair Program fare for scheduled air passenger transportation service unless one of the limited exceptions in §301-10.111 exists.

Note 1 to §301-10.110: When a contract City Pair Program carrier offers a lower cost capacity-controlled coach class contract fare (_CA) and an unrestricted coach

class contract fare (YCA), you must use the lower cost capacity-controlled fare when it is advantageous and meets mission needs. A listing of contract City Pair Program fares is available at <https://www.gsa.gov/citypairs>.

Note 2 to §301-10.110: Employees of the Government of the District of Columbia, with the exception of the District of Columbia Courts, are not eligible to use contract City Pair Program fares even though these employees otherwise may be covered by the FTR.

§301-10.111 Are there any exceptions to the use of a contract City Pair Program fare?

Yes, your agency may authorize use of a non-contract fare when:

(a) There are no accommodations available on any scheduled contract City Pair Program flight arriving to your destination in time to accomplish the purpose of your travel or use of contract service would require you to incur unnecessary overnight lodging costs which would increase the total cost of the trip;

(b) The contractor's flight schedule is inconsistent with explicit policies of your Federal department or agency with regard to scheduling travel during normal working hours;

(c) A non-contract carrier offers a lower fare to the general public that, if used, will result in a lower total trip cost to the Government (the combined costs of

transportation, lodging, meals, and related expenses considered); or

Note 1 to paragraph (c): This exception does not apply if the contract carrier offers the same or lower fare and has seats available at that fare, or if the fare offered by the non-contract carrier is restricted to Government and military travelers performing official business and may be purchased only with a contractor-issued charge card, centrally billed account (e.g., YDG, MDG, QDG, VDG, and similar fares) or GTR where the two previous options are not available.

(d) Cost effective rail transportation is available and is consistent with mission requirements.

Note 2 to §301-10.111: A group of 10 or more passengers traveling together on the same day, on the same flight, for the same mission, requiring group integrity and identified as a group by the travel management service upon booking is not a mandatory user of the Government's contract City Pair Program fares. For group travel, agencies are expected to obtain air passenger transportation service that is practical and cost effective to the Government.

Note 3 to §301-10.111: Contractors are not authorized to use contract City Pair Program fares to perform travel under their contracts.

Note 4 to §301-10.111: Carrier preference is not a valid exception for using a non-contract City Pair Program fare.

§301-10.112 What requirements must be met to use a non-contract fare?

(a) Before purchasing a non-contract fare you must meet one of the exception requirements listed in §301-10.111 and show approval on your travel authorization to use a non-contract fare; and

(b) If the non-contract fare is non-refundable, restricted, or has specific eligibility requirements, you must know or reasonably anticipate, based on your planned trip, that you will use the ticket; and

(c) Your agency must determine that the proposed non-contract transportation is practical and cost effective for the Government.

§301-10.113 What is my liability for unauthorized use of a non-contract carrier when contract service is available and I do not meet one of the exceptions for required use?

You are responsible for any additional costs or penalties incurred by you resulting from unauthorized use of non-contract service.

§301-10.114 May I use contract passenger transportation service for personal travel?

No, you may not use contract passenger transportation service for personal travel.

§§301-10.115 through 301-10.117 [Removed and Reserved]

20. Remove and reserve §§301-10.115 through 301-10.117.

§§301-10.118 and 301-10.119 [Reserved]

21. Add reserved §§301-10.118 and 301-10.119 after the undesignated center heading "Airline Accommodations".

22. Add §301-10.120 after the undesignated center heading "Airline Accommodations" to read as follows:

§301-10.120 What must I do when different airlines furnish the same service at different fares?

When there is no contract City Pair Program fare and other carriers furnish the same service at different fares between the same points for the same type of accommodations, you must use the lowest cost service unless your agency determines that the use of higher cost service is more advantageous to the Government.

23. Revise §§301-10.121 through 301-10.124 to read as follows:

Sec.

* * * * *

301-10.121 When may I use coach class seating upgrade programs?

301-10.122 What must I do with compensation an airline gives me if it denies me a seat on a plane?

301-10.123 May I keep compensation an airline gives me for voluntarily vacating my seat on my scheduled airline flight when the airline asks for volunteers?

301-10.124 When may I use a reduced group or charter fare?

* * * * *

§301-10.121 When may I use coach class seating upgrade programs?

Use of upgraded coach class seating options is generally a traveler's personal choice and therefore is at the traveler's personal expense. However, your agency approving official may approve reimbursement of the additional seat choice fee according to part 301-13 of this chapter or internal agency policy (see §301-70.102(k)).

§301-10.122 What must I do with compensation an airline gives me if it denies me a seat on a plane?

If you are performing official travel and a carrier denies you a confirmed reserved seat on a plane, you must give your agency any payment you receive for liquidated damages. You must ensure the carrier shows the "Treasurer of the United States" as payee on the compensation check and then forward the payment to the appropriate agency official.

§301-10.123 May I keep compensation an airline gives me for voluntarily vacating my seat on my scheduled airline flight when the airline asks for volunteers?

(a) Yes, you may keep airline compensation if:

(1) Voluntarily vacating your seat will not interfere with performing your official duties; and

(2) Additional travel expenses, incurred as a result of vacating your seat, are borne by you and are not reimbursed by the Government.

(b) If volunteering delays your travel during duty hours, your agency will charge you with annual leave for the additional hours.

§301-10.124 When may I use a reduced group or charter fare?

You may use a reduced group or charter fare when your agency has determined, on an individual case basis before your travel begins, that use of such a fare is cost effective. Chartered aircraft are subject to the same rules as Government aircraft, and agencies in the executive branch of the Federal Government are subject to the requirements of Office of Management and Budget (OMB) Circular A-126 and 41 CFR part 102-33 in making such cost effectiveness determinations.

§301-10.125 [Removed and Reserved]

24. Remove and reserve §301-10.125.

§§301-10.126 through 301-10.129 [Reserved]

25. Add reserved §§301-10.126 through 301-10.129 before the undesignated center heading "Use of United States Flag Air Carriers".

§301-10.130 [Reserved]

26. Add reserved §301-10.130 after the undesignated center heading "Use of United States Flag Air Carriers".

§§301-10.144 through 301-10.159 [Reserved]

27. Add reserved §§301-10.144 through 301-10.159 before the undesignated center heading "Train".

28. Revise §§301-10.160 and 301-10.161 to read as follows:

§301-10.160 When may I use extra-fare train service?

You may use extra-fare train service whenever your agency determines it is more advantageous to the Government or is required for security reasons. Use of extra-fare train service must be authorized or approved as other than coach class accommodations as provided in §§301-10.103(b) and 301-10.103(c).

§301-10.161 When may I use sleeping accommodations aboard train service?

You may use the lowest class of sleeping accommodations aboard a train that meets your mission needs when overnight travel is required, and your agency determines it is advantageous to the Government.

§§301-10.162 through 301-10.164 [Removed and Reserved]

29. Remove and reserve §§301-10.162 through 301-10.164.

§§301-10.165 through 301-10.179 [Reserved]

30. Add reserved §§301-10.165 through 301-10.179 before the undesignated center heading "Ship".

31. Revise §301-10.180 to read as follows:

§301-10.180 Must I travel by a U.S. flag ship?

Yes, when authorized to travel by ship you must use a U.S. flag ship when one is available unless the necessity of the mission requires the use of a foreign ship. (See 46 U.S.C. 55302).

§§301-10.182 and 183 [Removed and Reserved]

32. Remove and reserve §§301-10.182 and 301-10.183.

§§301-10.184 through 301-10.189 [Reserved]

33. Add reserved §§301-10.184 through 301-10.189 before the undesignated center heading "Transit Systems".

PART 301-11-PER DIEM EXPENSES

34. The authority citation for 41 CFR part 301-11 continues to read as follows:

Authority: 5 U.S.C. 5707

35. Amend §301-11.20 by revising paragraph (a) and adding paragraph (c) to read as follows:

§301-11.20 May my agency authorize a rest period for me while I am traveling?

(a) Your agency may authorize a rest period not in excess of 24 hours at either an intermediate point or at your destination when:

(1) Either your origin or destination is OCONUS;

(2) Your scheduled flight time, including stopovers, exceeds 14 hours;

(3) Travel is by a direct or usually traveled route; and

(4) Travel is by coach class or premium economy class.

* * * * *

(c) Your agency may authorize a rest period that exceeds 24 hours when no scheduled transportation service departs within 24 hours of your arrival at an intermediate point. To qualify for a rest period exceeding 24 hours, you must be scheduled to board the first available scheduled departure. Your agency will determine a reasonable additional length of time for any rest period exceeding 24 hours.

36. Amend §301-11.26 by **revising the table** to read as follows:

§ 301-11.26 How do I request a review of the per diem in a location?

* * * * *

Table 1 to § 301-11.26

For CONUS locations	For non-foreign area locations	For foreign area locations
General Services Administration, Office of Government-wide Policy, 1800 F St. NW., Washington, DC 20405	Defense Travel Management Office, Attn: Policy and Regulations Division, 4800 Mark Center Drive, Suite 04J25-01, Alexandria, VA 22350-9000	Director, Office of Allowances, Department of State, Annex 1, Suite L-314, Washington, DC 20522-0103.

PART 301-13-TRAVEL OF AN EMPLOYEE WITH SPECIAL NEEDS

37. The authority citation for 41 CFR part 301-13 continues to read as follows:

Authority: 5 U.S.C. 5707.

38. Amend §301-13.3 by revising the introductory text and paragraph (f) to read as follows:

§301-13.3 What additional travel expenses may my agency pay under this part?

Your agency approving official may pay for any expenses deemed necessary by your agency to accommodate your special need including, but not limited to, the following expenses:

* * * * *

(f) Other than coach class accommodations to accommodate your special need, under subpart B of part 301-10 of this subchapter; and

* * * * *

PART 301-53-USING PROMOTIONAL MATERIAL AND FREQUENT TRAVELER PROGRAMS

39. The authority citation for part 301-53 continues to read as follows:

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

§301-53.4 [Amended]

40. Amend §301-53.4 by removing “§§301-10.109 and 301-10.110” and adding “§§301-10.113 and 301-10.114” in its place.

41. Revise §301-53.5 to read as follows:

§301-53.5 Are there exceptions to the mandatory use of contract City Pair Program fares and an agency’s travel management service?

Yes, the exceptions are in accordance with §§301-10.111 and 301-10.112 of this chapter for the mandatory use of a contract City Pair Program fare, and §301-73.103 of this chapter for the mandatory use of a travel management service.

§301-53.6 [Amended]

42. Amend §301-53.6 by removing “§301-10.116” and “§301-10.117” and adding “§301-10.122” and “§301-10.123” in their places, respectively.

PART 301-70-INTERNAL POLICY AND PROCEDURE REQUIREMENTS

43. The authority citation for part 301-70 is revised to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701, note); OMB Circular No. A-126, revised May 22, 1992; OMB Circular No. A-123, Appendix B, revised August 27, 2019.

44. Amend §301-70.102 by revising paragraphs (b)(1) and (3), (d), (i), and (k) to read as follows:

§301-70.102 What governing policies must we establish for authorization and payment of transportation expenses?

* * * * *

(b) * * *

(1) Use of other than coach class accommodations under §301-10.103 of this chapter;

* * * * *

(3) Use of an extra-fare train service under §301-10.160;

* * * * *

(d) When you consider the use of a POV advantageous to the Government, such as travel to and from common carrier terminals or to the TDY location. When determining whether the use of a POV to a TDY location is the most advantageous method of transportation, you must consider the total cost of using a POV as compared to the total cost of using a rental vehicle, including rental costs, fuel, taxes, parking (at a common carrier terminal--not to exceed the cost of taxi or transportation network company fare, etc.), and any other relevant costs;

* * * * *

(i) Develop and issue internal guidance on what specific mission criteria justify use of other than coach class under §301-10.103(a)(9) and the use of other than the least expensive compact car available under §301-10.450(c).

The justification criteria shall be noted on the traveler's authorization.

* * * * *

(k) Develop and publish internal guidance regarding when coach class seating upgrade fees will be authorized as advantageous to the Government and reimbursed (see §301-10.121).

45. Amend §301-70.401 by revising paragraph (a) to read as follows:

§301-70.401 What governing policies and procedures must we establish regarding travel of an employee with a disability or special need?

* * * * *

(a) Who will determine if an employee has a disability or special need which requires accommodation, including when documentation is necessary under §§301-10.103 and 301-10.121, and when a determination may be based on a clearly visible and discernible physical condition; and

* * * * *

PART 301-71-AGENCY TRAVEL ACCOUNTABILITY REQUIREMENTS

46. The authority citation for 41 CFR part 301-71 continues to read as follows:

Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105-264, 112 Stat. 2350 (5 U.S.C. 5701 note).

47. Revise §301-71.105 to read as follows:

§301-71.105 Must we issue a travel authorization in advance of travel?

Yes, except when advance authorization is not possible or practical and approval is in accordance with §§301-2.1, 301-2.5, or 304-3.13. However, the following always require advance authorization:

- (a) Use of reduced fares for group or charter arrangements;
- (b) Payment of a reduced rate per diem;
- (c) Acceptance of payment from a non-Federal source for travel expenses (see chapter 304 of this title); and
- (d) Travel expenses related to attendance at a conference.

48. Amend appendix C to chapter 301 by

a. Revising the entry for "Transportation Method Indicator" in the table for "Commercial Transportation Information"; and

b. Revising the entry for "Transportation Method Cost" in the table for "Travel Expense Information".

The revisions read as follows:

Appendix C to Chapter 301 - Standard Data Elements for Federal Travel [Traveler Identification]

* * * * *

Commercial Transportation Information

Group name	Data elements	Description

* *	* * *	* *
Transportation Method Indicator	Air (other than coach class)	Common carrier used as transportation to TDY location
	Air (coach class)	
	Non-contract Air, Train, Other	
* *	* * *	* *

Travel Expense Information

Group name	Data elements	Description
* *	* * *	* *
Transportation Method Cost	Air (other than coach class)	The amount of money the transportation actually cost the traveler, entered according to method of transportation

	Air (coach class)	
	Non-contract Air, Train	
	Other	Bus or other form of transportation
* * *	* * *	* *

* * * * *

PART 304-3-EMPLOYEE RESPONSIBILITY

49. The authority citation for part 304-3 continues to read as follows:

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

50. Revise §304-3.9 to read as follows:

§304-3.9 May I use other than coach class accommodations on common carriers when a non-Federal source pays in full for my common carrier transportation expenses to attend a meeting?

Yes, you may use other than coach class accommodations on common carriers if you meet one of the criteria contained in §301-10.103 of this subtitle, and are authorized to do so by your agency in accordance with §304-5.5 of this chapter.

PART 304-5-AGENCY RESPONSIBILITIES

51. The authority citation for 41 CFR part 304-5 continues to read as follows:

Authority: 5 U.S.C. 5707; 31 U.S.C. 1353.

52. Amend §304-5.5 by revising the section heading, introductory text, and paragraph (c) to read as follows:

§304-5.5 May we authorize an employee to use other than coach class accommodations on common carriers if we accept payment in full from a non-Federal source for such transportation expenses?

Yes, you may authorize an employee to use other than coach class accommodations on common carriers as long as the:

* * * * *

(c) Travel meets at least one of the conditions in §301-10.103 of this title.

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